



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: S.J. Lippard, et al.) Attorney Docket No.: MTV-23.01

Serial No.: 09/907,515) Art Unit: 1627

Filing Date: July 16, 2002) Examiner: M.G. Baker

For: *Novel Coordination Complexes, and Methods for Preparing by Combinatorial Methods, Assaying and Using the Same*

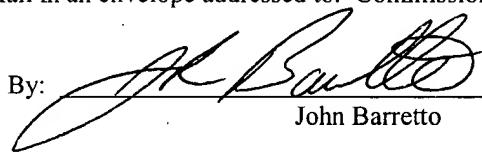
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Certificate of First Class Mailing

I hereby certify that the instant "Response to Restriction Requirement" is being deposited on the date set forth below with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

January 27, 2003
Date of Signature and Mail Deposit

By:



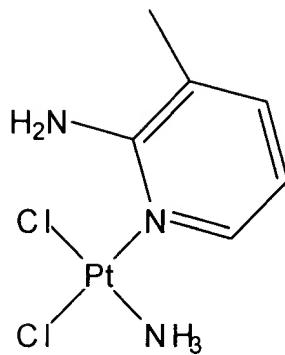
John Barretto

Commissioner for Patents
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the outstanding Restriction Requirement of September 27, 2002, Applicants provisionally elect, with traverse, Group IV, claims 24-28. The Applicants provisionally elect, with traverse, for purposes of search, the following specific structure of the claimed coordination complex:

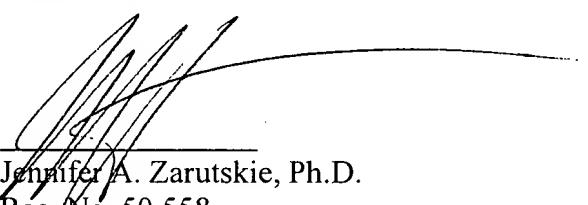


However, it is respectfully submitted that examination of all claims simultaneously would place no undue burden on the Examiner. The Applicants respectfully point out that examination of the claim of Group V (claim 29) necessarily entails a search of the subject matter of Group IV, and therefore submit that the examination of Groups IV and V together present no significant burden over the examination of Group IV alone.

For a restriction requirement to be valid, the Examiner must establish that the search and examination of the entire application cannot be made without serious burden (M.P.E.P § 803). Accordingly, Applicants respectfully request examination of all claims simultaneously.

Any questions raised by this submission may be directed to the undersigned at (617) 832-1754. The Commissioner is hereby authorized to charge any underpayments, or credit any overpayments, to our **Deposit Account No. 06-1448**. Please note that Applicants claim Small Entity Status, and any fees should be charged accordingly.

Respectfully submitted,
FOLEY HOAG



Jennifer A. Zarutskie, Ph.D.
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Agent for Applicants

January 27, 2003
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